

IN RE: PETITION FOR RESIDENTIAL	* BEFORE THE
ZONING VARIANCE	
S/S Geartner Rd., 60 ft. W of	* ZONING COMMISSIONER
c/l Maurleen Road	
2701 Geartner Road	* OF BALTIMORE COUNTY
3rd Election District	
2nd Councilmanic District	* Case No. 95-168-A
Mark Amoyal, et ux	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Mark Amoyal and Karen Amoyal, his wife, for that property known as 2701 Geartner Road in the Pikesville section of Baltimore County. The Petitioner/property owners herein seek a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 15 ft. rear yard setback, for an addition, in lieu of the required 30 ft., as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

ORDER RECEIVED FOR FILING
 12/19/95
 J. H. Hovak

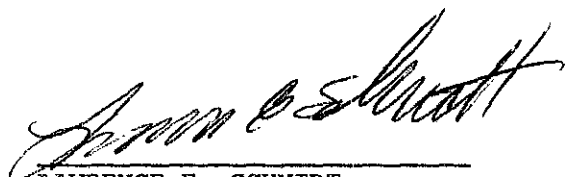
MICROFILMED

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of Dec., 1994 that the Petition for a Zoning Variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 15 ft. rear yard setback, for an addition, in lieu of the required 30 ft., in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mn

OFFICE RECEIVED FOR FILING
JAN 11 1995
Mr. Schmidt

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 30, 1994

Mr. and Mrs. Mark Amoyal
2701 Geartner Road
Pikesville, Maryland 21209

RE: Petition for Administrative Variance
Case No. 95-168-A
Property: 2701 Geartner Rd.

Dear Mr. and Mrs. Amoyal:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.





Petition for Administrative Variance

95-168-A

to the Zoning Commissioner of Baltimore County

for the property located at 2701 GEARTNER ROAD

which is presently zoned DR. S.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) **1B02.3.B (208.3 & 208.4; R-10, 1956)**

To permit a 15-foot rear yard setback (for an addition) in lieu of the required 30 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) THE EXISTING RESIDENTIAL STRUCTURE IS SITUATED ON AN

UNUSUALLY SHAPED LOT SO THAT STRICT COMPLIANCE WITH
THE REAR SETBACK REQUIREMENTS PREVENTS ME FROM CONVERTING
THE BACK PATIO INTO A ROOM.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: JJ

DATE: 10-31-94

ESTIMATED POSTING DATE: 11-13-94



Printed with Soybean Ink
on Recycled Paper

ITEM #: 168 164

MICROFILMED

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 2701 Gearhart Rd
address
Baltimore MD 21209
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The existing residential structure is situated on an unusually shaped lot so that strict compliance with the rear set back requirement prevents me from converting the brick patio into a room

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Mark Amoyal
(signature)
MARK Amoyal
(type or print name)



Karen Amoyal
(signature)
Karen Amoyal
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25th day of October, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

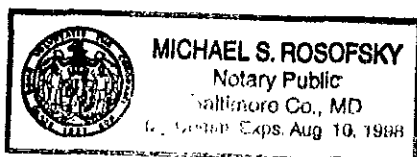
Mark Amoyal and Karen Amoyal

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

10-25-94
date

Michael S. Rosofsky
NOTARY PUBLIC
Michael S. Rosofsky
My Commission Expires:



95-168-A

ZONING DESCRIPTION FOR 2701 GEARTNER RD.

BEGINNING AT A POINT ON THE SOUTH SIDE
OF GEARTNER WHICH IS 100 FEET WIDE AT
A DISTANCE OF 60 FEET WEST OF THE CENTERLINE
OF MAURLEEN RD. WHICH IS 100 FEET WIDE.
BEING LOT #15 BLOCK J, PLAT II, SECTION I
IN THE SUBDIVISION OF WELLSWOOD AS RECORDED
IN BALTIMORE COUNTY PLAT BOOK # 23-56,
CONTAINING APPROXIMATELY 9650 SQUARE FEET.
ALSO KNOWN AS 2701 GEARTNER RD AND LOCATED
IN THE 03 ELECTION DISTRICT, 02 COUNCILMANIC
DISTRICT.

OWNER MARK AMOYAL

RECORDED

EXAMPLE 3 - Zoning Description

- 3 copies

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 2701 GEARTNER RD.
(address)

Beginning at a point on the SOUTH side of GEARTNER RD.
(north, south, east or west) (name of street)

which is 50'
street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 60' WEST of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street MAURLEEN RD.
(name of street)

which is 50' wide. *Being Lot # 15,
(number of feet of right-of-way width)

Block , Section # 1 in the subdivision of WELLWOOD II
(name of subdivision)

as recorded in Baltimore County Plat Book # 23, Folio # 36, containing

10,018.3 / .23A Also known as 2701 GEARTNER RD.
(square feet or acres) (property address)

and located in the 3 Election District, 2 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber , Folio " and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87° 12' 13" E. 321.1 ft. S. 87° 27' 03" E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and 122° W. 80 ft. to the place of beginning.

164

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-168-A

District 3rd Date of Posting 11/10/94

Posted for: Variance

Petitioner: Mark & Karen Amoy a/k

Location of property: 2701 Gearnor Rd, 5/5

Location of Signs: Facing road way on property being zoned

Remarks: _____

Posted by [Signature] Date of return: 11/15/90
Signature

Number of Signs: 1





Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-168-A

Account: R-001-6150

Number #104

Date 10-31-94

AMOYAL - 2701 GEARTNER RD

Taken by: JRF

010 - Variance - - \$50.00

080 - Sign - - - \$35.00

\$85.00

MICROFILMED

03A03#0280MICHR

\$85.00

BA 0011#01AM10-31-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

①

For newspaper advertising:

Item No.: 164

Petitioner: MARK AMOYAL & KAREN AMOYAL

Location: 2701 GEARTNER ROAD PIKEVILLE MD 21209

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MARK AMOYAL

ADDRESS: "SAME AS ABOVE"

PHONE NUMBER: 410-484-6032

MICROFILMED

AJ:ggs

(Revised 04/09/93)



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

Mr. & Mrs. Mark Amoyal
2701 Geartner Road
Pikesville, Maryland 21209

(410) 887-3353

NOV 21 1994

RE: Case No. 95-168A, Item No. 164
Petitioner: Mark Karen Amoyal

Dear Mr. and Mrs. Amoyal:

The Zoning Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on October 31, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

The following is related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office:

1. The director of the Office of Zoning Administration and Development Management has instituted a system whereby zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions' filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.
2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.
3. Those individuals who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e., 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Joyce Watson in the zoning office at 887-3391 or the commenting agency.

Sincerely,

A handwritten signature in cursive script, appearing to read "W. Carl Richards, Jr.", written in dark ink.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jnw
Enclosure(s)

Handwritten text in the bottom right corner, possibly a date "NOV 21 1994" and some initials or a signature.

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 11/21/94

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 11/14/94

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

164

166

167

169

170

171

LS:sp

LETTY2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 11/16/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF NOV. 14, 1994

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 164, 165, 166, 167, 168,
169 AND 171.

RECEIVED

NOV 17 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MG-110PF

cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE:

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 153, 154, 155, 156, 157, 160, 162, 163, 164, 165, 168, and 171

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

PK/JL

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Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

11-14-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109

111 W. Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: JOYCE WATSON

Dear Ms. Winiarski:

Re: Baltimore County
Item No.: * 164 (JRF)

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for RONALD BURNS,
~~David Ramsey~~, Acting Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

November 10, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Mark and Karen Amoyal
2701 Geartner Road
Pikesville, Maryland 21209

Re: CASE NUMBER: 95-168-A (Item 164)
2701 Geartner Road
S/S Geartner Road, 60' W of c/l Maurleen Road
3rd Election District - 2nd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before November 13, 1994. The closing date (November 28, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

NOV 15 1994



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 2701 GEARTNER RD

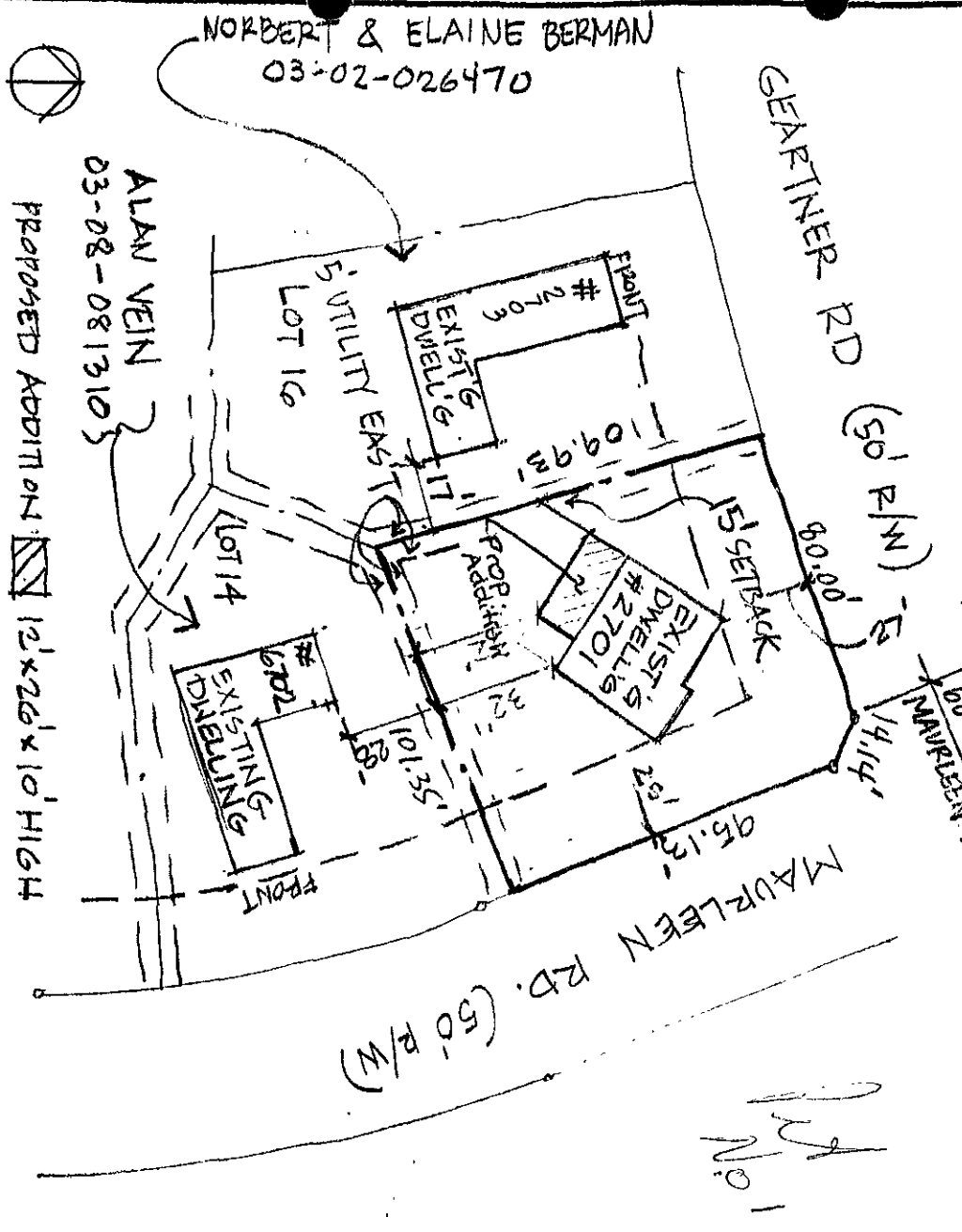
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: WELWOOD II

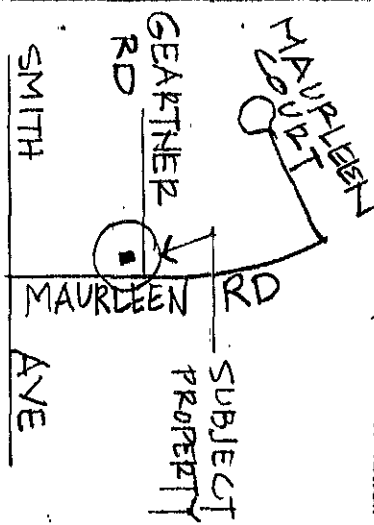
Plat book # 23, folio # 36, lot # 15, section # I

95-168-A

OWNER: MARK & KAREN AMOYAL



1/2 N.O.



Vicinity Map
scale: 1" = 1000'

LOCATION INFORMATION

Election District: 03

Councilmanic District: 02

1" = 200' scale map #: NW8D

Zoning: DR 5.5

Lot size: .23 acreage 10,000 square feet

Public Private

SEWER: ☒ ☐

WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ YES ☒ NO

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

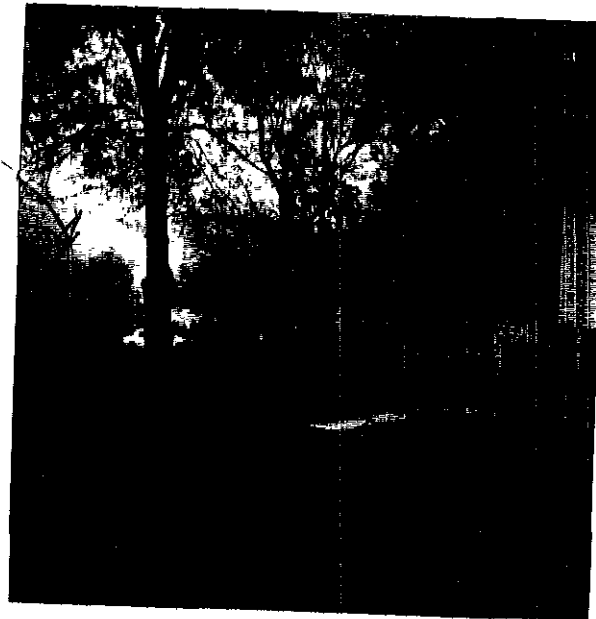
reviewed by: _____ ITEM #: _____ CASE#: _____

164

North
date: 10/29/94
prepared by: J. KESHTOOL, AIA Scale of Drawing: 1" = 50'

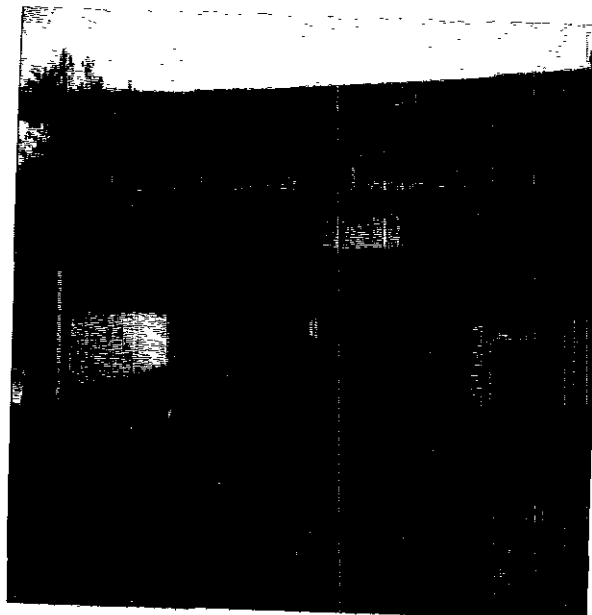
ALAN VEIN
03-08-0813103
PROPOSED ADDITION 12' x 26' x 10' HIGH

PETITIONER(S) EXHIBIT ()



Area of
house closest to
addition →

MARK Amoyal
owner.



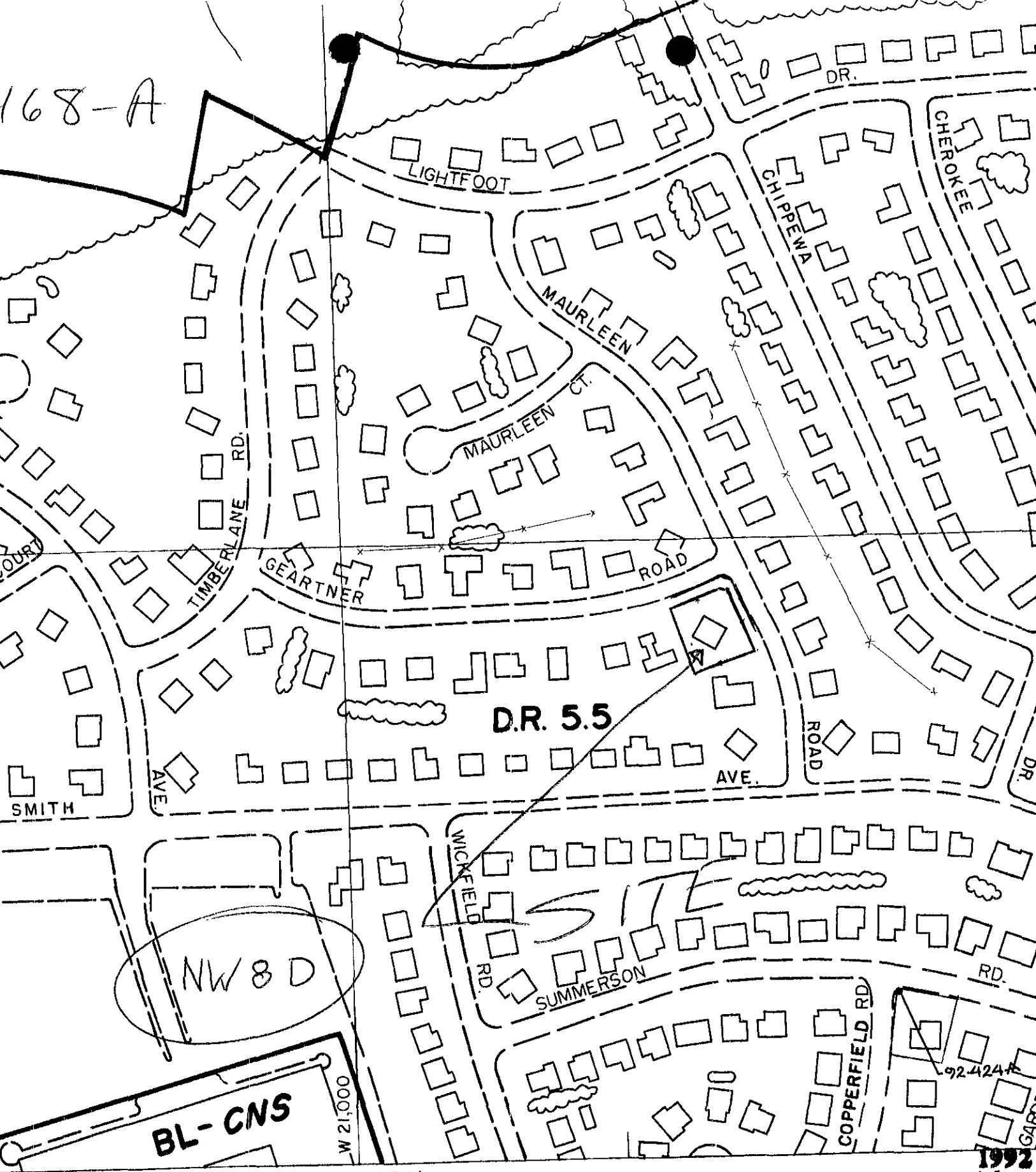
REAR YARD
AND PROPOSED
ADDITION AREA.

MARK Amoyal
owner

MICROFILMED

164

168-A



(SHEET NW-7-D)

BALTIMORE COUNTY
OF PLANNING AND ZONING

1992
Adopted

Bill No. 10



95-168-A

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

164

SCALE		LOCATION		SHEET	
1" = 200' ±		PIKESVILLE		NW	
DATE OF PHOTOGRAPHY JANUARY 1986		AREA		8-D	
		MICROFILMED			